

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

HILDA L. SOLIS, Secretary of Labor,
United States Department of Labor,

Plaintiff

v.

**KEITH DAVIS; A.B.D. TANK & PUMP
COMPANY; and A.B.D. TANK & PUMP
COMPANY 401(k) & PROFIT SHARING
PLAN & TRUST**

Defendants

CIVIL ACTION

File No. 11-cv-06987

**DEFAULT JUDGMENT AGAINST DEFENDANT A.B.D. TANK & PUMP
COMPANY**

Plaintiff, Hilda L. Solis, Secretary of Labor, United States Department of Labor (“Secretary”), having filed her complaint; defendant A.B.D. Tank & Pump Company (“A.B.D.”) having been duly served with a copy of the complaint and summons; defendant A.B.D. having failed to retain counsel as its representative and accordingly having failed to appear and defend; an application for entry of default of defendant A.B.D. has been filed with the Court on June 14, 2012; and amount owed by defendant A.B.D. having been verified by the declaration of Supervisory Investigator Kelli Hammerl; now, therefore upon motion of the Secretary and for cause shown,

JUDGMENT IS HEREBY ENTERED against defendant A.B.D. in accordance with the prayer of the complaint in the above-styled action; and it is:

ORDERED, ADJUDGED, AND DECREED that:

1. Defendant A.B.D. is permanently enjoined from violating the provisions of Title I of ERISA.

2. As a result of defendant A.B.D.'s fiduciary breaches, the ERISA plan A.B.D. Tank & Pump Company 401(k) & Profit Sharing Plan & Trust ("Plan") incurred \$2,767,051.01 in losses.

3. As a result of the fiduciary breaches committed by defendant A.B.D. it is ordered to immediately restore \$2,767,051.01 to the Plan.

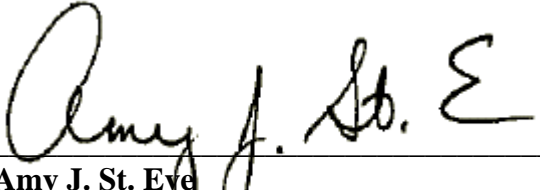
4. Defendant A.B.D. shall provide satisfactory written proof of the aforementioned restoration within fourteen (14) days of the entry of this Judgment to the Regional Director of the Employee Benefits Security Administration ("EBSA"), 230 South Dearborn, Suite 2160, Chicago, Illinois 60604 ("EBSA Regional Director").

5. Upon entry of this Judgment defendant A.B.D. is permanently enjoined from acting as a service provider or fiduciary to any ERISA plan.

6. The Secretary is awarded the costs of this action.

7. The Court retains jurisdiction for purposes of enforcing compliance with the terms of this Judgment.

Dated: This 30th day of August, 2012



Amy J. St. Eve
U.S. District Court Judge